

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

J. KENNETH KEARNEY USA LTD.,

Plaintiff,

v.

Civil Action No. 04 CV 12643 RCL

DAVID SMITH,

Defendant.

NOTICE OF CHANGE OF FIRM NAME AND ADDRESS

PLEASE TAKE NOTICE that Timothy P. Van Dyck and Windy L. Rosebush, counsel to Defendant David Smith, have changed their firm name and address. Please cause all notices, pleadings and correspondence in this matter to be sent to the address below:

Timothy P. Van Dyck, Esquire
Windy L. Rosebush, Esquire
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DAVID SMITH

By his attorneys,

/s/ Windy L. Rosebush
Timothy P. Van Dyck (BBO #548347)
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CERTIFICATE OF SERVICE

I, Windy L. Rosebush, hereby certify that a true copy of the foregoing Notice of Change of Firm Name and Address was served upon counsel of record William A. Zucker, Esq. and Kristin M. Cataldo, Esq., Gadsby Hannah LLP, 225 Franklin Street, Boston, MA 02110, by filing the same electronically on January 30, 2006. A courtesy copy of the above document was also served upon counsel of record by regular mail.

/s/ Windy L. Rosebush
Windy L. Rosebush